HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

WRIT PETITION No.19742 of 2000

Date: 08-08-2007.

Between :

Suvvada Sitam Naidu & another.

.....Petitioners

And

State of Andhra Pradesh, rep. by its Secretary,
General Administration Department & another.

.....Respondents.

HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

WRIT PETITION No.19742 of 2000

ORDER :

This writ petition is filed with the following prayer—

"To issue a Writ of Mandamus or any other appropriate order or directions declaring the actions of the respondents in cancelling the Rehabilitation Card Nos.491 and 492 in Proceedings R.C.No.664/90/ SO/R2, dated 05.03.1994 as illegal, arbitrary and against the principles of natural justice and direct the respondents to restore the Rehabilitation Card Nos.491 and 492 issued to provide employment in Visakhapatnam Steel Plant as Class-IV employees with all attendant benefits".

Facts of the case are that the petitioners have purchased a house in Sy.No.97 of Vadlapudi village on 26.11.1982 from one Marisse Mahalaxmi Naidu and are living therein. Their house was acquired in the year 1983 along with the lands of many other persons in the village, for construction of a Steel Plant and the petitioners were given Rehabilitation Card Nos.491 and 492. They were also allotted two plots bearing Nos.1099 and 1100 in reference No.11/1 of Vadlapudi village. The petitioners contend that those who were granted the Rehabilitation

Cards, would be provided employment in the Steel Plant. Therefore, they got registered themselves with the Employment Exchange of Gajuwaka Steel Plant at Serial Numbers 494/85 and 495/85. The grievance of the petitioners is that the respondents have provided employment to the persons, who were registered with the employment exchange subsequent to them, but they are not provided with any employment. It is further stated in the writ petition that on allegations that the Rehabilitation Cards were issued to some ineligible persons, the Government, by G.O.Rt.No.697/Industries Department, dated 20.06.1986, appointed a Committee to inquire into the matter. Accordingly, notices were issued to the petitioners and they attended the inquiry. After completion of inquiry, the impugned orders were passed, cancelling 10 Rehabilitation Cards including those of the petitioners. Thereafter, the petitioners submitted representations to the 2nd respondent on 10.02.1990, 20.05.1992, 30.08.1993 and 05.07.1995, but no action was taken on their representations. Therefore, they approached this Court through this writ petition.

Heard learned counsel for the parties.

On hearing the arguments of learned counsel for the parties and on perusing the material available on record, this Court is of the view that excepting a mere assertion

that the petitioners are bonafide residents of Vadlapudi village, they did not establish the said fact either before the authorities i.e. the 2nd respondent or before this Court. In fact, in the proceedings dated 05.03.1994, which is impugned in this writ petition, the 2nd respondent has clearly held that the petitioners were also issued notices to produce evidence to establish the fact that they are bonafide residents of the said village. In spite of the fact that sufficient opportunity was given to them, the petitioners did not adduce any document to prove that they were genuine residents of Vadlapudi village. It is only after the 2nd respondent passed the impugned order cancelling the Rehabilitation Cards issued in favour of the petitioners, that they filed this writ petition. The above action of the respondents, in my considered view, cannot be said to be bad in law, as they failed to prove that they are residents of Vadlapudi village.

Accordingly, I see no merit in this writ petition and it is accordingly dismissed.

GOPALAKRISHNA TAMADA, J

8th August 2007

ajr